

**MITIGATION MONITORING AND REPORTING PROGRAM**

**THE CRESCENT-  
LAKESIDE SPECIFIC PLAN PROJECT**

**CITY OF SUNNYVALE**

**AUGUST 2005**

# P R E F A C E

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

On \_\_\_\_\_, the Planning Commission [**STEVE: IS IT THE PLANNING COMMISSION OR CITY COUNCIL IN SUNNYVALE THAT DOES THIS?**]certified the Environmental Impact Report (EIR) for the Crescent-Lakeside Specific Plan Project. The Final EIR concluded that the implementation of the project could result in significant impacts on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

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Impact	Mitigation or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<b>NOISE</b>				
<p><b><u>IMPACT NOISE-2:</u></b> Use of additional mechanical equipment may increase noise levels above normally acceptable levels, as defined by the City of Sunnyvale and Municipal Code standards (Municipal Code Section 19.42.030).</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE NOISE-1:</u></b> Select and locate mechanical equipment to meet City noise standards. If necessary, employ enclosures, acoustical louvers, and/or equipment noise attenuators.</p> <p><b><u>MITIGATION MEASURE NOISE-2:</u></b> Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential or business property boundary.</p> <p><b><u>MITIGATION MEASURE NOISE-3:</u></b> Noise control measures included in the building mechanical systems will be reviewed and measurements will be made during the design phase by a qualified acoustical specialist to verify that noise impacts have been mitigated. The acoustical specialist will prepare a report for submittal to the City demonstrating that necessary treatments have been included in the design prior to issuance of a building permit.</p>	Prior to issuance of building permits from City.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.

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<p><b><u>IMPACT NOISE-3:</u></b> The proposed project would result in short-term increase in noise levels in the project area, especially during grading, below grade work, and pile driving.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE NOISE-4:</u></b> Post signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site and day and evening contact number for the City in the event of problems.</p> <p><b><u>MITIGATION MEASURE NOISE-5:</u></b> Notify neighbors of the schedule and type of equipment that would be used for each phase of construction.</p> <p><b><u>MITIGATION MEASURE NOISE-6:</u></b> Limit construction hours to between 7:00 AM and 6:00 PM on weekdays, and between 8:00 AM and 5:00 PM on Saturdays.</p> <p><b><u>MITIGATION MEASURE NOISE-7:</u></b> Locate noisy stationary equipment (e.g., generators and compressors) away from the most sensitive adjacent uses.</p> <p><b><u>MITIGATION MEASURE NOISE-8:</u></b> Require that all construction equipment be in good working order and that mufflers are inspected for proper functioning.</p> <p><b><u>MITIGATION MEASURE NOISE-9:</u></b> Designate a construction noise coordinator. This coordinator shall be available to respond to</p>	<p>During demolition and construction phases.</p> <p>Signs to be posted by applicant.</p>	<p>Community Development Department staff will ensure that the contractors implement the construction noise measures.</p>	<p>Director of Community Development.</p>

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	<p>complaints from neighbors and take appropriate measures to reduce noise.</p> <p><b><u>MITIGATION MEASURE NOISE-10:</u></b> The appropriate type(s) of building foundations shall be determined as part of the design-level geotechnical investigation (refer to MITIGATION MEASURE GEO-1). Based on the results of this geotechnical investigation, the project design shall avoid the use of foundation piles if at all feasible. Reasonable alternatives that shall be considered include the use of mat foundations, drilled shafts, and/or spread footings.</p> <p>If pile driving is required, implementation of site-specific noise and vibration attenuation measures, under the supervision of a qualified acoustical consultant, including, at a minimum, the following measures prior to pile driving:</p> <ul style="list-style-type: none"> <li>– Multiple pile drivers shall be considered to expedite this phase of project construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced.</li> <li>– Temporary noise control blanket barriers shall shroud pile drivers. Such noise control</li> </ul>			

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	<p>blanket barriers can be rented and quickly erected.</p> <ul style="list-style-type: none"> <li>– The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for all piles driven on the site. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. The associated noise reduction would be based on the soil conditions of the site.</li> <li>– The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with the adjacent noise sensitive facilities so that construction activities and the event schedule can be scheduled to minimize noise disturbance.</li> <li>– Notify land uses located within 200 feet of pile driving activities of the construction schedule in writing.</li> </ul>			
<p><b><u>IMPACT NOISE-4:</u></b> The proposed project would be exposed to noise levels above the City's exterior noise goal of 60 dB L<sub>dn</sub> and the interior noise goal of 45 dB L<sub>dn</sub>.</p>	<p><b><u>MITIGATION MEASURE NOISE-11:</u></b> Construct a 10- to 15-foot sound barrier wall located along US 101 so as to block the line of sight from the pool area to vehicles on the freeway and reduce outdoor noise levels at the outdoor podium recreation area to meet the City's noise goal of 60 dB or less.</p>	<p>Prior to issuance of building permits from City.</p>	<p>All measures will be printed on all construction documents, contracts, and project plans.</p>	<p>Director of Community Development.</p> <p>Public Works staff will ensure proposed</p>

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<p><b>Less Than Significant Impact with Mitigation</b></p>	<p>The exact height, location, extent of a sound barrier wall shall be determined during the design phase, when the site plan has been finalized. The barrier wall shall be constructed of concrete block, plaster, pre-cast concrete, or other solid material with a minimum surface density of three pounds per square foot. Construction of a sound barrier wall along the US 101 right-of-way will be subject to design review and approval by the California Department of Transportation (Caltrans).</p> <p><b><u>MITIGATION MEASURE NOISE-12:</u></b> Install sound rated windows and exterior wall assemblies to reduce interior noise levels to an <math>L_{dn}</math> of 45 dBA. Throughout most of the site, window sound insulation ratings between Sound Transmission Class (STC) 30 and STC 36 would be required. These ratings can be achieved using well sealed dual pane windows with various glazing configurations.</p> <p>Buildings with the greatest exposure to noise from US 101 may require windows with sound insulation ratings of approximately STC 40, depending on the size and shape of windows and rooms. Windows with sound insulation ratings of STC 40 and greater typically have either dual sashes, or large airspaces between panes.</p>			<p>mitigation is sufficient to achieve these levels.</p>

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	<p><b><u>MITIGATION MEASURE NOISE-13:</u></b> Complete a detailed analysis during the design-level of the project to select appropriate windows and wall assemblies to meet interior noise standards. Sound rated exterior walls incorporating either resilient channels or double stud assemblies may also be required at the facades with the greatest noise exposure.</p>			



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<b>AIR QUALITY</b>				
<p><b><u>IMPACT AIR-3:</u></b> Construction activities related to the proposed project would result in significant short-term air quality impacts.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE AIR-1:</u></b> Use dust-proof chutes for loading construction debris onto trucks.</p> <p><b><u>MITIGATION MEASURE AIR-2:</u></b> Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.</p> <p><b><u>MITIGATION MEASURE AIR-3:</u></b> Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</p> <p><b><u>MITIGATION MEASURE AIR-4:</u></b> Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.</p> <p><b><u>MITIGATION MEASURE AIR-5:</u></b> Sweep streets daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).</p> <p><b><u>MITIGATION MEASURE AIR-6:</u></b> Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p>	<p>Prior to issuance of building permits from City.</p>	<p>All measures will be printed on all construction documents, contracts, and project plans.</p>	<p>Director of Community Development.</p>

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	<p><b><u>MITIGATION MEASURE AIR-7:</u></b> Replant vegetation in disturbed areas as quickly as possible.</p> <p><b><u>MITIGATION MEASURE AIR-8:</u></b> Address dust or complaints regarding dust within 24 hours to the satisfaction of City staff (or other authority).</p>			

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<b>BIOLOGICAL RESOURCES</b>				
<p><b><u>IMPACT BIO-1:</u></b> Construction activities during the nesting season may result in the disturbance or destruction of breeding raptors or their nests.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE BIO-1:</u></b> Preconstruction surveys shall be conducted no more than 30 days prior to the start of site grading. If nesting raptors are located on or immediately adjacent to the site, a construction-free buffer zone (typically 250 feet) around the active nest shall be established for the duration of breeding until young birds have fledged.</p>	To be implemented no more than 30 days prior to the start of site grading by a qualified ornithologist.	Applicant will provide the City a signed letter from the ornithologist certifying this action has been taken in accordance with state law	Director of Community Development.
<p><b><u>IMPACT BIO-2:</u></b> The proposed Specific Plan could result in the removal of up to 189 trees, 77 of which are of significant size.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE BIO-2:</u></b> The project shall conform to the City's Tree Preservation Ordinance (Municipal Code, Chapter 19.94). At the discretion of the Director of Community Development, significant trees that are to be removed shall be replaced, replanted, or relocated (Municipal Code, Sections 19.94.080, 19.94.090, and 19.94.100).</p> <p><b><u>MITIGATION MEASURE BIO-3:</u></b> A tree protection plan shall be completed. The plan shall demonstrate how tree protection shall be provided during and after construction and shall include any of the protective measures set forth in Section 19.94.120 of the Municipal Code.</p>	Prior to issuance of building permits from City.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.

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<b>CULTURAL RESOURCES</b>				
<p><b><u>IMPACT CULT-1:</u></b> Development of the project site could result in a significant impact to buried cultural resources which could be present on the site.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE CULT-1:</u></b> In the event of the discovery of unanticipated prehistoric or historic era cultural materials, operations shall stop within 25 feet of the find and the Community Development Director will be notified. The find shall be evaluated by a qualified archaeologist, and if the find is significant, treatment recommendations shall be developed.</p>	To be implemented before and during construction activities by contractors.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.

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<b>GEOLOGY AND SOILS</b>				
<p><b><u>IMPACT GEO-3:</u></b> There is potential for liquefaction and differential compaction to occur on the site.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE GEO-1:</u></b> A detailed design-level geotechnical investigation shall be completed and the project design and construction shall follow the recommendations of the investigation. The design-level investigation shall include subsurface exploration at the site (to address the liquefaction potential at the site) and evaluation of appropriate foundation systems for proposed structures, as well as site preparation and pavement design.</p> <p>Due to the depth of groundwater in the project area, the investigation will also address any need for dewatering during construction. If dewatering is required, this report will also identify the amount and depth of dewatering and the specifics regarding disposal of the water.</p>	Prior to issuance of building permits from City.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.

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<b>HYDROLOGY AND WATER QUALITY</b>				
<p><b><u>IMPACT HYDRO-2:</u></b> Runoff from the proposed project would contain urban pollutants, such as oil, grease, and metals that could impact water quality in local drainage systems receiving storm water runoff. Development of the proposed project could cause a significant temporary increase in the amount of contaminants in storm water runoff during construction. However, the project specifically proposes the incorporation of the above measures and development in accordance with the NPDES requirements listed below, which would avoid significant water quality impacts.</p> <p><b>Less Than Significant Impact</b></p>	<p><b><u>MITIGATION MEASURE HYDRO-1:</u></b> Prior to construction of any phase of the project, the City of Sunnyvale will require that the applicant(s) submit a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI) to the State of California Water Resource Quality Control Board to control the discharge of storm water pollutants including sediments associated with construction activities. Along with these documents, the applicant may also be required to prepare an Erosion Control Plan. The Erosion Control Plan may include Best Management Practices (BMPs) as specified in the California Storm Water Best Management Practice Handbook for reducing impacts on the City's storm drainage system from construction activities. The SWPPP shall include control measures during the construction period for:</p> <ul style="list-style-type: none"> <li>– Soil stabilization practices</li> <li>– Sediment control practices</li> <li>– Sediment tracking control practices</li> <li>– Wind erosion control practices and</li> <li>– Non-storm water management and waste management and disposal control practices.</li> </ul>	<p>Prior to issuance of building permits from City.</p>	<p>All measures will be printed on all construction documents, contracts, and project plans.</p>	<p>Director of Community Development.</p>

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	<p><b><u>MITIGATION MEASURE HYDRO-2:</u></b> Prior to issuance of a grading permit, the applicant will be required to submit copies of the NOI and Erosion Control Plan (if required) to the City Project Engineer, Department of Public Works. The applicant will also be required to maintain a copy of the most current SWPPP on-site and provide a copy to any City representative or inspector on demand.</p> <p><b><u>MITIGATION MEASURE HYDRO-3:</u></b> Each phase of development will include provision for post-construction structural controls in the project design where feasible, and would include Best Management Practices (BMP) for reducing contamination in storm water runoff as permanent features of the project. BMPs and design features could include regular sweeping of parking lots and driveways; use of erosion control devices such as silt fences; biofilters; and stenciling on-site catch basins to discourage illegal dumping.</p> <p><b><u>MITIGATION MEASURE HYDRO-4:</u></b> The project shall comply with Provision C.3 of NPDES Permit Number CAS029718, Order #01-119, which provides enhanced performance standards for the management of storm water for new development.</p>			

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	<p><b><u>MITIGATION MEASURE HYDRO-5:</u></b> The applicant, their arborist and landscape architects, shall work with the City and the SCVURPPP to select pest resistant plants to minimize pesticide use, as appropriate.</p> <p><b><u>MITIGATION MEASURE HYDRO-6:</u></b> The project shall comply with the City Storm Water Management Ordinance (Municipal Code Chapter 12.60).</p>			



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<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<p><b><u>IMPACT HAZ-1:</u></b> Concentrations of chlordane were detected in on-soils above residential ESLs.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE HAZ-1:</u></b> The project applicant shall present the soil sampling results to the Santa Clara County Department of Environmental Health prior to issuance of the demolition permit. The Santa Clara County Department of Environmental Health shall determine whether remediation is required to address chlordane in soils on the site. All requirements of the Santa Clara County Department of Environmental Health shall be followed, and any remediation of chlordane shall be completed in accordance with all overseeing regulatory agency requirements and all federal, state, and local regulations.</p> <p>If soil remediation is needed, it would likely consist of soil excavation, soil mixing, and/or capping of the soil with non-contaminated soil. Remediation, if any, shall be performed by a licensed hazardous waste remediation contractor under the oversight of a professional engineer or registered geologist.</p> <p><b><u>MITIGATION MEASURE HAZ-2:</u></b> The project applicant shall submit plans showing any existing wells on the site to the Santa Clara Valley Water District for review and approval before demolition</p>	<p>Prior to issuance of building permits from City.</p>	<p>All measures will be printed on all construction documents, contracts, and project plans.</p> <p>Review of the sampling results and recommendations, if any, from the Santa Clara County Department of Environmental Health by Public Works project representative.</p>	<p>Director of Community Development.</p>

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	of the existing buildings. The existing wells will be abandoned in accordance with the Santa Clara Valley Water District standards and procedures.			

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<b>UTILITIES AND SERVICE SYSTEMS</b>				
<p><b><u>IMPACT UTIL-2:</u></b> The proposed project will increase sewage flow from the site and may exceed the capacity of the existing sewer main.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p><b><u>MITIGATION MEASURE UTIL-3:</u></b> The project shall test the capacity of the existing sewer facilities that serve the project site prior to issuance of the site development permit. If it is determined that the proposed project would exceed the capacity of the existing sewer lines at or downstream of the site, the project shall upgrade the sewer lines and connections to provide capacity to serve the project and to meet the City's standard of operating at 75 percent or less of sewer line capacity.</p>	Prior to issuance of building permits from City.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.
<p><b><u>IMPACT UTIL-4:</u></b> The demolition of the existing hotel and the construction of the proposed project would generate large amounts of waste in the short-term. Operation of the proposed project would generate a net increase of solid waste from the site. There is, however, sufficient capacity at Kirby Canyon Landfill to serve the proposed project.</p> <p><b>Less Than Significant Impact</b></p>	<p><b><u>MITIGATION MEASURE UTIL-1:</u></b> The project shall implement the City approved Waste Management Plan to be prepared for the project, which will include recommendations regarding facility design for on-going waste and recycling management systems.</p> <p>The Waste Management Plan shall also include recommendations for recycling demolition wastes and reusing or recycling unused construction materials. The Plan shall describe the projected quantities of waste generated during demolition and construction, how much of those materials will be reused, recycled, or otherwise diverted from landfills, and where unrecycled materials will be disposed. Upon completion, the project</p>	Prior to issuance of building permits from City.	All measures will be printed on all construction documents, contracts, and project plans.	Director of Community Development.

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	<p>shall provide the City with a report summarizing the waste type, quantity, disposition (e.g., recycled or landfilled) and facility used, to document execution of the plan.</p> <p><b><u>MITIGATION MEASURE UTIL-2:</u></b> The project shall include waste and recycling receptacles on the podium and around the project site. The proposed hotel and Condo Association shall hire staff to keep the site clean.</p>			

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<b>ENERGY</b>				
<p><b>IMPACT ENER-1:</b> While the project would result in increased energy usage on the site, this increase would not be substantial when compared to overall energy used in the City of Sunnyvale. Given the developed nature of the site, its infill location, and the density of the proposed development, the project would not use fuel or energy in a wasteful manner, and the project would not result in significant energy impacts.</p> <p><b>Less Than Significant Impact</b></p>	<p><b>MITIGATION MEASURE ENER-25:</b> The project shall have a waste management plan for reuse and recycling of construction and demolition materials in place and operating at the beginning of project construction.</p> <p><b>MITIGATION MEASURE ENER-26:</b> All residences shall be constructed to meet the requirements of the <i>EnergyStar</i> program for new homes.</p> <p><b>MITIGATION MEASURE ENER-27:</b> Although there is not a formal <i>EnergyStar</i> program for commercial buildings, the commercial buildings shall be constructed to meet the same standards as those that apply to the residential program to the extent feasible.</p> <p><b>MITIGATION MEASURE ENER-28:</b> The idling of construction vehicles shall be avoided to reduce fuel consumption, emissions, and noise.</p> <p><b>MITIGATION MEASURE ENER-29:</b> Commercial buildings, to the extent feasible, shall:</p> <ul style="list-style-type: none"> <li>– Install motion detectors or dimmers to control lighting;</li> </ul>	<p>Prior to demolition activities on the site, a Waste Management Plan will be completed by the project applicant.</p> <p>The project applicant and contractors will be responsible for implementing and installing energy saving devices and measures.</p> <p>The applicant is responsible for tracking and recording all recycled materials.</p>	<p>All measures will be printed on all construction documents, contracts, and project plans.</p>	<p>Director of Community Development.</p>

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	<ul style="list-style-type: none"> <li>– Install efficient security and parking lot lighting (e.g., high pressure sodium fixtures);</li> <li>– Install reflective window film or awnings on all south and west facing windows;</li> <li>– Install ceiling and wall insulation; and</li> <li>– Install Energy Management System to control HVAC system—its operating hours, set points, scheduling of chillers, etc.</li> </ul> <p>The project shall consider the following measures to reduce the project’s energy consumption:</p> <p><b><u>MITIGATION MEASURE ENER-30:</u></b> The project should use recycled materials to reduce the use of raw materials and divert material from landfills. Construction material used should be at least 5-10 percent salvaged or refurbished materials, specifically, a minimum of 25-50 percent of building materials should contain at least 20 percent post consumer recycled content material, or a minimum of 40 percent post industrial recycled content material.</p> <p><b><u>MITIGATION MEASURE ENER-31:</u></b> The project should use local materials and resources in order to reduce the energy used in transporting these materials over long distances. Of the building materials used, 20-50 percent shall be manufactured within 500 miles of the building</p>			

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	<p>site.</p> <p><b><u>MITIGATION MEASURE ENER-32:</u></b> The project should use rapidly renewable materials in order to reduce the depletion of virgin materials and reduce use of petroleum-based materials. Specifically five percent of total building materials should be made from rapidly renewable building materials.</p> <p><b><u>MITIGATION MEASURE ENER-33:</u></b> For components of the project where buildings would be made from wood, such as flooring and framing, the project should use a minimum of 50 percent wood-based materials certified in accordance with the Forest Stewardship Council Guidelines (<a href="http://www.fscoaz.org/index.html">http://www.fscoaz.org/index.html</a>).</p> <p><b><u>MITIGATION MEASURE ENER-34:</u></b> The project should select materials with volatile organic compound limits.</p> <p><b><u>MITIGATION MEASURE ENER-35:</u></b> All new buildings should include a photovoltaic (i.e., solar electric) system on rooftops.</p>			

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